



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

APRIL 24, 2007

PRESENT: Acevedo, Koepp-Baker, Benich, Davenport, Escobar, Lyle, Mueller

ABSENT: None

LATE: None

STAFF: Planning Manager (PM) Rowe, Public Works personnel: Deputy Director (PWDD) Bjarke, Senior Civil Engineer (SCE) Behzad, Senior Civil Engineer (SCE) Creer, and Minutes Clerk Johnson.

Chair Benich called the meeting to order at 7:01 p.m., inviting all present to join the pledge of allegiance to the flag.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

The Commissioners and Staff acknowledged that Commissioner Lyle had not reapplied for the position. All indicated the dynamism he had displayed over the years would be missed.

With no members of the audience indicating a wish to address matters not appearing on the agenda, Chair Benich closed the public comment period.

MINUTES:

MARCH 27, 2007 COMMISSIONERS ACEVEDO/DAVENPORT MOTIONED TO CONTINUE CONSIDERATION OF THE MINUTES OF MARCH 27, 2007 TO THE NEXT MEETING. THE MOTION PASSED 7-0 BY THE FOLLOWING VOTE: AYES: ACEVEDO, KOEPP-BAKER, BENICH, DAVENPORT, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

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PUBLIC HEARING:

1) **ZAA-05-16/** The applicant is requesting approval of a development amendment to alter the park commitments and eliminate the private park from precise development plan approved for a 15-unit single-family attached residential development located on the northwest corner of the intersection of Hale and Wright Ave. A Mitigated Negative Declaration is proposed for the project amendments.

DAA-05-07: WRIGHT-MANANA

PM Rowe presented the staff report and reminded the Commissioners that this project was one which they had seen a year ago. Now the request was being heard for a development amendment to alter the park commitments and eliminate the private park from the Precise development plan, he said. PM Rowe noted the Mitigated Negative Declaration, which specifically addresses channel improvements along Hale Ave. In March, 2007, the Commission reviewed and recommended approval of a Development Agreement Amendment granting a nine-month extension of the FY 2006-07 commencement of constriction date and adopted a resolution containing the project performance dates. The developer has been working with the Santa Clara Valley Water District, to install landscaping, a pathway, and other amenities, with the District officials indicating a needed area for access for channel maintenance. In accordance with an earlier agreement, the Santa Clara Valley Water District will assume responsibility for all improvements after two years, PM Rowe advised, "In order to get the improvements, they are to be installed, with the developer maintaining the areas for two years, tonight we have the developer proposing changes to make up point differences caused by the elimination of the private park and amenities. These could take the form of 'park in-lieu fees', if the Commission is so inclined. PM Rowe went on to explain that two resolutions have been prepared, with a focus on eliminating the private park and the need for an HOA. "That will be good for small developments, as HOA's are difficult to initiate and continue for small communities," he said.

SE Creer explained the planned configuration of the road in responding to questions from the Commissioners regarding alignment of turn pockets and the 'jut-out' in one area.

Commissioner Koepp-Baker also expressed concern that there was 'no defined walkway on Hale Ave. SCE Creer explained the plan is for a continuous sidewalk from the Marisol project on Hale Avenue south to Wright Avenue. Commissioner Lyle asked if the stripping would be put in later so more cars could be accommodated in a queue. SCE Creer advised that the matter is in 'plan check now'. Commissioner Lyle recalled that the Commissioners have frequently heard testimony (complaints) in the past regarding the culvert placement. "I thought this would be a great time to work on that; but because of reimbursement issues, SP Linder says we can't do it right now," Commissioner Lyle said. SCE Creer advised that when the re-configuration of Santa Teresa is completed, redoing the culvert will make more sense rather than integrating that improvement into this project.

Chair Benich referenced the Mallorca project and said his reading had led him to believe that the project under discussion would help to mitigate the 100 year flood. "However, when we go back to the EIR, on page 38 it states there is no impact. It appears in the reading that things are better than they are shown to be," Chair Benich

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stated. "The objective of this comment is that the writer is too conservative."

PM Rowe pointed out that this projects' impact on flooding will be fully mitigated. He said, "If we are asking if the flood elevation for the surrounding area will be lowered, the answer is, 'No, this will not alter the flood elevations except in this location.'" Discussion ensued regarding the fact that the one-foot alteration will be better, but it is only on this site.

Chair Benich opened the public hearing.

Dick Oliver, 385 Woodview Ave., #100, was present to advise the Commissioners that he was actually challenging the project EIR which had been requested by the Santa Clara Valley Water District after the project was completed (essentially) and that the delay had cost almost a year of production.

Mr. Oliver said he is a member of the Measure C subcommittee where numerous discussions had taken place regarding the intent to reduce the number of 'pocket parks'. "What we have here is a pocket park that really makes no sense," Mr. Oliver said. "As a result of the requirements of the Santa Clara Valley Water District, the cost has been elevated. What we should be doing is paying double park fees and turn the park area over to Santa Clara Valley Water District. We have the same situation at Marisol, but with the two-year continuing requirements, plan to coordinate the two projects together. As stated, the developer will assume all maintenance until Santa Clara Valley Water District takes over."

Commissioner Koepp-Baker commended Mr. Oliver with a big 'thank you' for taking a look at that park and the elevations – and making a change for others in the area.

With no others present to speak to the matter, the public hearing was closed.

COMMISSIONER MUELLER OFFERED A RESOLUTION RECOMMENDING APPROVAL OF DEVELOPMENT AGREEMENT AMENDMENT APPLICATION, DAA-05-07: WRIGHT AVE.-MANANA, TO ALLOW FOR AMENDMENT TO PARAGRAPH 14 OF THE DEVELOPMENT AGREEMENT TO ELIMINATE THE PRIVATE PARK REQUIREMENT. NOTING THE FINDINGS AND CONDITIONS CONTAINED THEREIN, COMMISSIONER ESCOBAR SECONDED THE MOTION, WHICH CARRIED 7-0 WITH THE FOLLOWING VOTE: AYES: ACEVEDO, KOEPP-BAKER, BENICH, DAVENPORT, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

COMMISSIONER MUELLER OFFERED A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDMENT TO A RESIDENTIAL PLANNED DEVELOPMENT APPROVED ON A 2.65 SITE LOCATED ON THE NORTHWEST QUADRANT OF THE INTERSECTION OF WRIGHT AVE. AND HALE AVE. THE AMENDMENT ALLOWS FOR THE ELIMINATION OF THE .267-ACRE PRIVATE PARK. COMMISSIONER ESCOBAR SECONDED THE MOTION, NOTING THE FINDINGS AND CONDITIONS CONTAINED THEREIN, WHICH PASSED 7-0 BY THE FOLLOWING VOTE: AYES: ACEVEDO, KOEPP-BAKER,

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BENICH, DAVENPORT, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

COMMISSIONERS MUELLER/ESCOBAR MOTIONED TO APPROVE THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN, AS PRESENTED, INCLUSIVE OF THE FINDINGS AND CONDITIONS LISTED THEREIN. THE MOTION PASSED 7-0 WITH THE FOLLOWING VOTE: AYES: ACEVEDO, KOEPP-BAKER, BENICH, DAVENPORT, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

**2) FINDING OF
GENERAL PLAN
CONSISTENCY FOR
DRAFT FY 07/08–FY
11/12 CAPITAL
IMPROVEMENTS
PROGRAM (CIP)**

The Planning Commission is requested to review the draft Five-Year Capital Improvements Program (CIP) for consistency with the Adopted 2001 General Plan.

PWDD Bjarke and SCE Behzad were present to address the Commissioners regarding the five-year Capital Improvement Program (CIP), which is the City's planning tool for major capital infrastructure construction including streets, parks, water, sewer, public buildings, and other activates. PWDD Bjarke advised that the Commissioners annually review the CIP for consistency with the City's General Plan. He noted that the draft being presented at this meeting would encompass FY 07/08 – FY 11/12. PWDD Bjarke said the Public Works Department had, as part of the annual budget cycle, spent the last three months putting the CIP together. "Last week we met with the Parks and Recreation Commission to receive their comments. Tonight we have brought you the entire five-year CIP and ask for a finding of consistency with the General Plan." PWDD Bjarke told of the methodology of the work and announced that SCE Behzad would make notes of the Planning Commissioners comments to forward to the City Council.

Commissioner Lyle referenced a recently held workshop at which many comments had been made. He said it would have been valuable to have those comments provided to the Commissioners for this meeting. Chair Benich agreed, saying it would be important to formalize the workshop of last week. "We need to document the comments from that workshop somehow," Chair Benich declared, e.g., the need to potentially upgrade downtown sewer and water lines to accommodate the anticipated higher downtown development densities.

Responding to a question, PWDD Bjarke gave an overview of the CIP process, including having input from other departments of the City. PWDD Bjarke proceeded with a slide show of the CIP, and how it is viewed as meeting the goals of the General Plan.

The Commissioners exhibited considerable interest in the portion of the CIP devoted to parks, noting several times that the City is 'behind' in providing parks according to the General Plan. Several points were brought up regarding this matter:

- budget summary is correct
- Butterfield
 - funding from the CA Park Agency is anticipated'
 - funding for phase 2 and the last phase are known to be more expensive
 - there is not a lot of room for the planned trail, so channel work needed

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- more aggressiveness needed in getting a regional park
- concern - land is becoming more expensive and there are problems with maintenance, but people at the workshop wanted to purchase land now and continue to do so
- concerns of deficiency in acquiring land; if not doing small parks, would have added larger portions of land for parks in the last 15 years; may have trouble going forward now
- operating budget isn't going up enough to keep up with inflation and the need to acquire lands – given the benefit – the City has not always exhibited the commitment to build park
- need for commitment to build parks, not just buy land [Diana-Chan sat there for years with no action]
- recommendation to 'cut out' parks with 50 units or less in an HOA
- want to focus on larger parks, but the problem: how to maintain
- in this plan there is indication of actually buying land (which Commissioners termed a 'step in the right direction', noting none had been bought in a long time)
- should be acquiring 5 acres per year
- should be bringing parks on line
- concerns of whether the City Council is committed to acquiring land without having support for putting parks on line
- have built hundreds of houses, and City probably needs 10 acres of park near Diana, but the City policy has been not to buy park land unless there is the known ability to maintain a park

Considerable discussion ensued regarding 'comparison of what the General Plan says and what (fiscal) actuality presents.

The Commissioners agreed during discussion that available parks for City residents in other areas of town could be identified as the west side of Butterfield and along Monterey.

Continuing, other items discussed following the presentation, were:

- Llagas Creek and the status of PL566 funding
- completion of the wildlife trail; next phase: trail would be soon on both sides of channel, then trail from Edes Court to Downtown
- downtown green activity; if reach density downtown, green space is critical

PWDD Bjarke advised that open space acquisition had been discussed during workshop, as well as during the Urban Limit Line and Greenbelt studies. The City leaders appear to have eyes on parts of the City east of Hill Road and north of W. Dunne Ave., he reported.

Commissioner Mueller asked about the timeline for spending money. Commissioner Lyle commented, "We collected lots of money." PM Rowe said to his knowledge there is no statutory (time) limit for spending the monies. Commissioner Lyle advised that a proposal may be made for using monies for acquiring a greenbelt when the subcommittee reports to the full Commission (in May).

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Commissioner Acevedo asked if open space and parkland might be considered the same. He cited the potential for a place on El Toro for a 'mountain park'. Commissioner Koepp-Baker agreed with the possibility, saying open space could be reserved. Commissioner Mueller cautioned it would depend on 'public access'. Discussion then focused on 'non maintained parks' with the potential of having service clubs, e.g., Boy Scouts. Commissioner Acevedo explained an idea for a conservation small path location.

PWDD Bjarke advised that \$20 million had been set aside by the City Council and part of that could be used for Downtown parks. "When we get direction from the Downtown Plan, we will be able to be more specific with the Downtown Parks plan," PWDD Bjarke said.

Chair Benich said he had understood that the Downtown Park was not counted as part of the needed total park acquisition. Commissioner Acevedo pointed out that the City owns a property nearby 3rd St. which is parkland as part of the downtown renovation.

PWDD Bjarke said that the City Council has directed the Council's Subcommittee on Public Safety and Services to consider proper service levels for public safety.

Discussion resulted from continuing concerns of not having the fire station on line. Listed as alarms were:

- Fire Master Plan
- \$2M annual cost projected, but numbers are outdated
- insurance rate increases {as values increase, so do rates}
- medical emergencies; some serviced by fire companies 15 miles away
- only six local firefighters

Commissioner Mueller spoke of the renovation of the downtown land: "With much higher density, that could 'trigger' insurance ratings and we should investigate that, In addition, there is the medical issue as was mentioned, not to say that the increased density creates sheer risk of personnel safety in entering buildings."

Turning to the water and wastewater elements of the CIP, Chair Benich showed disappointment in the absence of a waste water recycle plan, and asked that the CIP {budget} for 2008 contain a line item/description of a demonstration project for a wastewater recycling/reclamation.

PWDD Bjarke commented on the 'trunk line project' to the sewer plant from Tennant Ave. and indicated summer work plans included improvements on California Street to connect Monterey and Tennant. He said that by adding parallel lines, more service capacity will be available. PWDD Bjarke referenced water and wastewater projects to the year 2013.

Storm drains projects were reviewed. Commissioner Mueller recalled that at some time there had been discussion of dual use of park and storm drainage projects, but the SCVWD for some reason had frowned on such and subsequently caused reworking of the Coyote Creek Plan. It was noted that Hill Road Park has originally been planned with detention facilities, but that did not happen.

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Streets receive the bulk of Redevelopment Agency monies, Commissioners agreed. Responding to questions, PWDD Bjarke told of work that the City was attempting to achieve with at-grade crossings and detailing the opposition and set-backs to such plans.

The proposed under-passing at Dunne was discussed, and work on traffic studies for that area discussed.

Commissioner Lyle said, in looking at Butterfield north, "If Hill were connected through from Main to Peet, it is a small distance, but would help fire truck routes."

PM Rowe pointed to projects in the County which attract the VTA spending plan.

Chair Benich admonished PWDD Bjarke: "Don't forget, we are looking for culturally fit, architecturally correct bus stops!"

Regarding street realignments, at Santa Teresa there may be need to move the substation, PWDD Bjarke said, and the City will have conversation with PG&E, which others noted as a 'long process'. Commissioner Acevedo expressed thinking that there is not that much infrastructure at the substation and any rerouting would not involve structure disruption.

Noting that Commissioners have made repeated requests for tracking dollars with projects, Commissioner Mueller stressed the rationale of giving 'transparency for expenditures of dollars across multiple phases of projects. "As we see a completed package, we need/want to know how much the City is spending on packages. Does the City Council understand how much each entire project costs?" he asked.

Chair Benich opened the floor for public comment.

As none were present to address the matter, the public hearing was closed.

The Commissioners undertook discussion as follows:

Commissioner Davenport: regarding two areas of exception - *parkland acquisition* "I can't see how this can be found in alignment with the General Plan when the General Plan says a certain matrix, we do not have calculations even though the CIP states it is very, very low. We do not see the dollar amounts. I have asked for two years in a row for those figures. I can't vote that we can make findings that the CIP is in consistency with the General Plan, as we do not have the information. Then, too, there is the fire station issue: without firm knowledge of the figures for adequate personnel, there are not numbers to find consistency."

Commissioner Koepp-Baker said, "I echo Commissioner Davenport's comments. We are not in alignment with the General Plan."

PWDD Bjarke called attention to a worksheet from the workshop which tells the baseline and evolution of the development of the Parks Master Plan. He told the Commissioners that he was not sure how past expenditures relate to current consistency with the General Plan.

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Commissioner Escobar commented that, "History typically is the best predictor of the future – there is not an indication that what was laid out in the past would bring consistency with the General Plan. It is difficult to see what new level of effort is being made to bring it into consistency. We do see attempts in the area of parks that current buys to make up for lost opportunities at not purchasing those areas."

PWDD Bjarke said he understood, and agreed that evaluation might be difficult.

Commissioner Mueller said, "We have a huge amount of dual purpose park and recreation. In terms of actual park there has been very little expenditure. We need to highlight that because of not spending dollars on parks, we are losing the ability to place parks in neighborhoods."

Discussion as to the amount of parkland bought in the last 15 years (5 acres) was perused. Commissioner Escobar indicated that the Commission needs to know what new numbers for purchase may be. "The City needs to say 'We will commit to what we are going to do, and based on what we did not spend, here is what we will do to make it up'," Commissioner Escobar said.

Commissioner Koepp-Baker repeated earlier statements of working to make up parklands purchases. "What can we do? It might be possible to make up for what was not done," she said. Commissioner Koepp-Baker talked about the need for open space.

Commissioner Mueller recalled that the Park Master Plan had written in current grant funding in mind.

Commissioner Davenport stressed the importance of the General Plan (idea for execution over time) and how essential implementation is to be.

Chair Benich called attention that the City Council needs to be working toward 250 acres of purchased parklands.

Commissioner Acevedo stated that he has a somewhat different perspective: at the adoption of the General Plan - when the "dot com" phase was in 'full bloom' – the City had a relative good fiscal plan, and now we are starting to bounce back toward that fiscal plan. The General Plan looks out to 2020. "Are we working toward the General Plan?" Commissioner Acevedo asked. "The spending appears to be averaging. We're not even half way through the cycle of the General Plan. Do we need to keep our eye on the ball? Yes. We need to spend money and acquire land, and to regain our economic strength before we become really concerned. From a consistency standpoint, I was there when we defined parkland at the General Plan meetings and I think the consistency is there. Some on the Planning Commission were critical of the Aquatic and Community Center plans during the General Plan meetings. Some strongly objected, but the Plan was accepted. I think we should accept this now and move on. The parklands definition was determined by consensus. My position is that we are 'incrementally getting there' but the economy has not cooperated. With an upward turn in the economy, we can be fully in consistency with the General Plan."

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COMMISSIONER ACEVEDO OFFERED A MOTION FINDING THE CIP AS BEING CONSISTENT WITH THE GENERAL PLAN. COMMISSIONER ESCOBAR SECONDED THE MOTION, saying Commissioner Acevedo's logic was 'well placed'. "This plan is not simply a year-to-year plan. At some point in the planning process, it becomes too late to gain what was lost and we must look at how that is impacting the community," Commissioner Escobar said.

Discussion continued with the Commissioners agreeing that maybe the CIP needs to have some discussion regarding 'when we get to the point of no return we might remedy the concerns raised in this meeting by the year 2010, and we do not, we could experience the loss of consistency of the CIP and the General Plan.

Commissioner Acevedo pondered as to how that can be done: "We don't want to tip our hand as to what we want. We need to be looking at areas for parks, but take care not to 'tip our hand'. As I remember Disneyland and the inflated property values, I am concerned about changing the value of the land to the point where we can't buy it; people might tend to think of the City as having deep pockets. I am wondering how to identify property without tipping our hand."

Commissioner Lyle commented he did not see anything in this (CIP) plan of gaining up to four acres of parkland per year. "Even with ignoring the catch-up factor, if we take the CIP as gospel, we are falling behind each year."

COMMISSIONER MUELLER ASKED TO PRESENT A SUBSTITUTE MOTION. "It should be something similar to last year, but stronger," he said. Following brief discussion, **COMMISSIONERS ACEVEDO/ESCOBAR AGREED TO HAVE THE SUBSTITUTE MOTION MADE**.

COMMISSIONER MUELLER OFFERED A MOTION INDICATING THAT THE PLANNING COMMISSION HAD FOUND THE METHODOLOGY FOR CONSISTENCY OF THE CIP AND THE GENERAL PLAN TO BE VALID FOR ONE YEAR AND REQUESTING PUBLIC WORKS STAFF TO PRESENT A PLAN WHICH COULD BE PUT INTO PLACE FOR PURCHASE OF PARKS AND A FIRE STATION. Noting the comments by Commissioner Acevedo, which all Commissioners present (none were absent) agreed would be included within the motion, **COMMISSIONER ESCOBAR PROVIDED THE SECOND TO THE MOTION. THE MOTION PASSED 7-0 WITH THE FOLLOWING VOTE: AYES: ACEVEDO, KOEPP-BAKER, BENICH, DAVENPORT, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE**.

3) MULTI-FAMILY BI-ANNUAL VACANCY RATE SURVEY

Bi-annual review of vacancy survey results as required in accordance to the Morgan Hill Municipal Code, Chapter 17.36.

PM Rowe presented the staff report, noting that the significance of having vacancies below five percent is that it prevents apartments from being converted to condos.

Commissioner Acevedo said he had hoped for information regarding apartments to rent that was not low income, as in his business people (newcomers) often ask for market rate apartment. It was acknowledged that such lodging is difficult to find in

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the City.

Commissioner Lyle said the structure of the report has resulted in some heading problems which causes some confusion and pointed out one specific example: Murphy Ranch where suddenly there is indication that rates are less than half what they were before. Chair Benich agreed, saying staff should check on that.

COMMISSIONERS MUELLER/ESCOBAR MOTIONED APPROVAL OF THE SURVEY RESULTS AND ESTABLISHING THE VACANCY RATE FOR APRIL 2007 AT 2.22% THE MOTION PASSED 7-0 WITH THE FOLLOWING VOTE: AYES: ACEVEDO, KOEPP-BAKER, BENICH, DAVENPORT, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

4) RDCS QUARTERLY REPORT

Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Development Control System (RDCS).

PM Rowe reported that Section 18.78.150 requires the Quarterly Report to be presented to the Commissioners for review of the progress of RDCS approved projects, and as necessary, make recommendation to the City Council regarding the recession of building allotments. PM Rowe gave an update on the number of projects current under scrutiny. Noting some minor modifications to the report, he went on to explain that the following are behind schedule:

Church-Alceni
Diana-Chan
Del Monte-Giovanni
E. Dunne-Kruse
Depot-The Granary
Monterey-Gunter
San Pedro-Alclini
E. Main-Ahlin

PM Rowe also noted those projects which are in compliance and those completed.

It was noted that Maureen Upton, representative of the Diana/Chan project was present to answer questions.

Commissioner Davenport asked if the allocations for the Diana/Chan project were in default and could be considered for reallocation. PM Rowe advised the Commission could call up any project that is not proceeding according to their approved development schedules to consider recession for reallocation or have the developer proceed or ultimately institute a trade of the project's fiscal year allocation in accordance with the Commission's approved procedures.

Commissioners Mueller and Lyle were quick to point out that FY 06-07 allocations were not eligible for trades.

Commissioner Lyle strongly suggested having an agendaized item for the next

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meeting for Commission discussion regarding instituting trades. He noted that the Commissioners had dialogue with Ms. Upton a month ago. "Now it is later and they still do not have a developer, but one project is on board for ideally receiving allocations," Commissioner Lyle said.

PM Rowe interjected that the approved policy and procedures for trading allotments between projects set forth conditions that allocations cannot be traded for the current 2006-07 fiscal year. He reminded that staff had surveyed projects which would accept FY 2007-08 allocations and trade for FY 2008-09 or 2009-10 allocations, but no willing participants had come forth.

Commissioner Lyle reiterated that at least one project could be completed a year earlier and it made sense to trade fiscal year building allocations, while Diana-Chan is not ready to proceed, and still does not have a developer.

Commissioner Mueller commented that it looks like there are about 201 outstanding building permits which have been pulled, with an additional 176 permits due to be pulled this fiscal year. Commissioner Lyle argued that 'anyone who could get started this year should'.

The Commissioners discussed the projects underway and which might be close to getting underway.

Chair Benich opened the public hearing.

Maureen Upton advised told the Commissioners that she was representing the Diana-Chan project. Ms. Upton said she had a long discussion with Commissioner Lyle regarding moving allocation from FY 2007-08 to FY 2008-09. "I see in the report several other projects are as far behind as we are. Are they going to be asked to trade or is it just us? Ms. Upton asked.

Ms. Upton also raised a second issue: "I would like the Commissioners to really consider the fact that we certainly don't want to get behind. We don't want our project's building allotment pushed into FY 2009-10, and suggest that there should be some guidelines for not putting projects into jeopardy – so please don't let those who are limping get too far out," she said.

With no others present to address the matter, the public hearing was closed.

COMMISSIONERS MUELLER /ESCOBAR MOTIONED TO APPROVE THE RDCS QUARTERLY REPORT, WITH THE NOTED REVISIONS. THE MOTION PASSED 7-0 WITH THE FOLLOWING VOTE: AYES: ACEVEDO, KOEPP-BAKER, BENICH, DAVENPORT, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.

ANNOUNCEMENTS: No announcements were received.

ADJOURNMENT: As there was no further business to come before the Commissioners at this meeting, Chair Benich adjourned the meeting at 8:43 p.m.

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MINUTES PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk